Original manuscript of Papers
by William Brewster, published
in Scientific Journals or read
before Scientific Societies. 1909.

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ORIGINAL MANUSCRIPTS OF PAPERS BY
WILLIAM BREWSTER, PUBLISHED IN SCIENTIFIC
JOURNALS OR READ BEFORE SCIENTIFIC
SOCIETIES. 1909-[1910]

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(Read very slowly)

[Notes used for an address delivered before the N. E. Botanic Club on the evening of January 1, 1909 by W.B.]

In some consciously doggerel, unwritten, I regret to say, by an honored member of the New England Botanical Club, but fortunately - at least I am so assured - not intended for publication, I have been characterized of late as "ornithologist, botanist, mammalogist, herpetologist, entomologist, geologist, neurologist and - I know not what besides. That at least one of ~~these titles~~ these titles, so generously thrown on ~~has been applied to~~ me by my distinguished friend, ~~was it a typo~~ was not deserved will soon become apparent, for what I am about to say ~~must~~ must make it quite clear to all of you here present that I have little or no scientific knowledge of botany.

Nevertheless I am interested in plant as well as animal life and through field experience, supplemented by information obtained from books and from local botanists - such as our President and Mr. Pardee, - I have learned to recognize and to name - more or less correctly or at least confidently - a considerable number of New England plants. In most of those which have attractive flowers or foliage I take interest and there are some for which I care so very much that I would always have them growing and flowering near me if I could.

Such interests and tastes - largely aesthetic, it will be observed, yet perhaps not wholly unscientific - have led me to attempt the naturalization

in a garden in Cambridge and in certain woods and fields at Concord, of many various New England plants. It is of some of these experiments that I wish to speak briefly this evening.

There is no great difficulty, I think, in having wild flowers of very many kinds in one's garden. Planted in deep leaf mould, under the shade of some spreading tree, thoroughly watered in dry seasons, and carefully protected against the encroachment of weeds, such shy woodland species as Sanguinaria, Claytonia, Hepatica, Blood root, Dalibarda and all the Trilliums and Cypripediums (including Cypripedium spectabile) will flourish and bloom and perhaps even reproduce their kind

~~away back post or garden~~. The ferns, with the exception of two or three species, do equally well amid such surroundings. All this is known to you, of course. I have dwelt ~~[illegible]~~ briefly on it, in passing merely for the sake of contrasting the ease with which these and other plants may be established in a garden, where they can be fostered and protected, with the extreme difficulty which, as I have formerly, ~~[illegible]~~ attends most attempts to make them grow permanently in fields (to which they are not indigenous) and in and ~~[illegible]~~ woods, of necessity, they must be largely left to shift for themselves. My personal experience of the latter kind has been chiefly at Concord, where, as most of you know, I have about three hundred acres of land only a small portion of which is under cultivation

Indigenous Plants

(Trees & Shrubs)

An approximately complete list of what I have found.

R. M. = River Meadows & Banks
B. H. = Balls Hill
F. = Farm
G. D = of General Distribution

(5)

White Pine
Pitch "
Red "
Black Spruce
Hemlock
Red Cedar
Juniper (Juniper communis)
Shell-bark Hickory
Mocker-nut "
Pig " "
Black Willow
Glossy-leaf " (S. lucida)
Other willows including
a dwarf one, Salix tristis, I think.
Also the White Willow (?) of Europe
Quaking Asp Poplar
Large-tooth "
Hop Hornbeam
Gray Birch } both
Canoe " } hybrids
Black or Cherry "
Common Alder (incana)
Beech
Chestnut
Red Oak
Scarlet "
Black "
White " } one
Swamp " " } hybrid?)
Bear "
Dwarf Chs. " grows 12" to 15" high

American Elm
Sassafras
Witch Hazel
Buttonwood
Shad-Bush (2 forms)
Crataegus (Prof Sargent has not
one of more than 1/2 of them & yet!)
Sweet Cherry (Rum wild & common)
Rum "
Red or Bird "
Choke "
Yellow Locust (R. pseudacacia)
Sticky "
Staghorn Sumac
Smooth "
Dwarf "
Poison "
" Ivy
Mountain Holly (Nemopanthus)
Black Alder
Silver Maple
Red "
Alternate-leaved Cornel
Silky "
Dwarf or Bunch Berry "
Juniper
White Ash
Green "
Button Bush
Viburnum Lentago
Sheep Laurel

Indigenous Plants

(Trees & Shrubs)

Sweet Bay
" Gale
High Blueberry Several forms one
Both with white flowers
Low "
Huckleberry
Choke Berry
Carolina Wild Rose
Swamp " "(Rubida)
Sweet Briar
Andromeda Ligustrina
Clematis
Roxbury Waywort or Bitter Sweet
Bullbrier
Wild Grapes ~~& Hazel~~
B.H. Fetid "
Barberry
Woodbine
High Blueberry
Low " Dewberry.
R.M. Rhodora
G.D Clethra
R.M. Cassandra
~~R.M. Sweet Bay~~

Indigenous Plants

(Herbaceous Plants, Ferns &c.)

Too numerous & too imperfectly known to me to be fully listed.

B. H. Erigisimum cheiranthoides Wormseed Mustard
B. H. Helianthemum canadense Frost weed
B. H. Silene pennsylvanica Wild Pink
B. H. Viola Brittoniana Pollard, atlantica of Britton, Septemloba of Others, authorities
~~R. M. Gaillardia aristata Marsh Mallow~~
R. M. Hibiscus moscheutos Swamp Rose Mallow
B. H. Ceanothus americanus New Jersey Tea
B. H. Sepharsia virginiana Goat's Rue
B. H. Desmodium
B. H. Lespedeza
B. H. ~ 7 Apios tuberosa
R. M. Mikania scandens
R. M. Lobelia Cardinalis
~~Bot. Gaultheria Procumbens~~
Sm. Dict. Pyrola rotundifolia
" elliptica
" Chlorantha
" secunda
B. H. * Pyenanthemum Clinopodioides two specimens found by Mr. Purdie near cabin several years ago. Sm. ms
B. H. Habenaria virescens
Bird Is. Carex oligosperma
7: Euphorbia corollata
R. M. Iris virginica nearly as common as I. versicolor
~~R. M.~~
R. M. Menyanthes trifoliata Buck Bean - abundant in ditches

Ferns

B. H. Sw. Woodwardia virginica
" " Aspidium simulatum
" " " Cristatum
7: " Spinulosum Concordiense.

Planted by W. B.

(Trees & Shrubs)

White Pine, Red Pine
Eastern Larch
Black Spruce Red Spruce
Hemlock
~~Black Sp~~
Balsam Fir (from Maine)
Bald Cypress (Murrayton)
Arbor Vitae (from Maine)
Butternut
Balm of Gilead Poplar
Common Hornbeam (Carpinus)
European Birch
Yellow "
Chestnut Oak (Q. prinus)
Slippery Elm.
White Mulberry
Red "
Magnolia (glauca)
American Mountain ash
Beach Plum
Prickly Ash
American Holly
Sugar Maple
Mountain "
Striped "
Basswood
Flowering Dogwood
Mountain Laurel
Black Ash
Catalpa
Viburnum Opulus
" Lantanoides

Rhododendron maximum
Cornus circinata Round leaved C.
Andromeda polyfolia
Kalmia glauca
Ledum
Kalmia latifolia
Azalea nudiflora
Erica palustris

Almost all of these have blossomed. It is comparatively easy to transplant these shrubs &c. The difficulty to which I have referred is with herbaceous plants, not with trees & shrubs.

Planted by W. B

(Herbaceous Plants) i.e. low-growing plants.
Chiefly herbaceous.

7:		Hepatica Triloba (from Lincoln)
7		" acutiloba (" Burkshire Co)
7		Thalictrum
7:		Caltha palustris (from neighboring brook meadows)
S.		Coptis trifolia (from Peterboro N. H.)
S.		Aquilegia canadensis (from neighboring ledges
S		Actea alba et rubra (from Lake Umbagog)
		Caulophyllum thalictroides (Blue Cohosh, from Berkshire
		Podophyllum peltatum (from Nursery)
S'S		Sanguinaria canadensis (Blood root, from Concord)
7:		Dicentra canadensis (Squirrel Corn from Nursery)
7:		Viola rotundifolia (from Peterboro N. H.)
S.		" pedata (from neighboring fields)
7:		Claytonia caroliniana (from New Jersey + Nursery plants)
S		Hibiscus moscheutos (from Sud. Very easy to establish in any moist place)
S.		Oxalis acetosella Wood Sorrel. From Peterboro, N. H.
		Fringed Polygala. From Concord.
7:		Genista tinctoria. Nursery plants.
7.		Tephrosia virginiana. Both roots + seeds have always failed
7:		Agrimonia eupatoria From Peterboro N. H.
7:		Potentilla fruticosa Nursery plants
S.		Dalibarda repens From Peterboro, N. H.
7:	*	Parnassia caroliniana (from Berkshire Co.)
S.	*	Mitella diphylla " " "
S'S	*	Tiarella cordifolia " " "
7:	*	Rhexia virginica (from Lancaster) Failed attempt in Hosmer land
7:	*	Solidago bicolor from Lake Umbagog - 2d growth in Concord
7.	*	Liatris squarrosa Blazing Star. Grows near me in Concord
S'S	*	Eupatorium urticaefolium from Park Meadows Nat., Peterboro
S		Aster Novae-Angliae

Planted by W. B.

~~Herbaceous Plants~~ Low growing plants, chiefly herbaceous.

(Echium vulgare)

7: Viper's Bugloss, from Berkshire Co. { My farm was filled with coloster against when I tried this weed. He is a perfect bane to

5 5 Helianthus Sunflower. 2 species from Worcester, Mass.

5 5 ** Chrysopsis falcata - Golden aster " " Berkshire Co.

4. Campánula rotundifólia. Got it grows near by in Concord

5 Chiógenes hispídula - Swanton - From Bethel, Maine.

5. Arctostáphylos uva-ursi

~~Andromeda~~

7 * Moriéses uniflora - from Pelatons, N. H. Grows in Concord.

7 Monarda didyma - from Nursaries

7 Mertensia virginica " "

5 Phlox subulata Moss Pink - from garden

5 Sabbátia species? from Cape Cod.

7 Asclepias tuberosa " " " " from Lincoln

5 Cypripedium acaule - Indigenous & abundant

" - ~~spectabile~~

5 " pubescens

5 " parviflorum

5 Trillium erectum

5 5 " erythrocarpum

5 Clintonia borealis

7 * Succory or Chickory

* Trailing Arbutus or May flower

Ferns are usually easy to establish, in congenial places. I have not tried some of the later rarer species, nor the climbing fern, which grows in one locality in Concord. The walking fern has thriven for several years in a crevice of a ledge filled with limestone soil brought with the plants, from Berkshire County.

My farmer is a bucolic soul,
somewhat given to over-absorption in
his cows and cabbages. If he grieves
me by neglecting the flower garden
I retaliate by exciting his apprehensions
about weeds. When I scattered seeds
and planted roots of Viper's Bugloss
over half our little farm he was simply
filled with dismay for he knew something
about the reputation this plant bears in
New York state where it is, I believe, a
rather widespread and pernicious weed.
Perhaps I was taking chances in trying
it at Concord. But it did not establish
itself there except in the flower garden
where, I am bound to admit, it has
become somewhat troublesome.

Perhaps the most interesting and striking of all my many factors has been that with the chicory; (wherat my farmer openly rejoices) One would suppose that a plant which grows so profusely and vigorously in almost every kind of waste land in and about Cambridge and Boston would be likely to succeed at least fairly well at Concord. It has, indeed, established itself there but only sparingly, in one or two places on the outskirts of the village. at my farm etc.

Oddly enough, plants which flourish
far to the northward in British America
are often winter-killed in Massachusetts.
I have known this happen ~~to happen to~~
to the Balsam Fir and the American Yew,
to Linnæa, and even to Cedrus a shrub
that ranges to and beyond the Arctic circle -
Although these and other plants of similarly
boreal distribution must be able to
withstand almost any degree of cold
when their roots are buried in snow, as is
always the case in winter in the far north,
it is probable that they cannot do so
when the ground is bare ~~in midwinter~~
(in midwinter
as often happens) in Massachusetts

Plants brought from a distance to places where they are not indigenous and near which they are not to found ~~at all~~ growing naturally, seem more likely to establish themselves than do those which occur ~~grow naturally~~ in neighboring fields and woodlots yet not actually within the area to which one wishes to introduce them. Of the former class our New England flora affords many familiar examples known or believed to have come originally from Europe or elsewhere beyond the ocean. Of the latter my experiments at Concord would seem to furnish examples in such species as the Checkerberry, Blazing Star, Hepatica & others. The greater the distance from which the plant has to be brought the better, apparently,

are its chances of success. This, no doubt, is because the more remote its habitat the less likely it is to have had previous opportunities, fortuitous or otherwise, of entering a region or locality where it is absent. If it be not found there, yet growing near at hand, one may be reasonably certain, I think, that it has had such opportunities but that the region or locality in question has proved unsuited to the plant's requirements.

Woodland Soil of eastern Massachusetts heavy and root bound as compared with that of Middle States etc.

Novel plants attract much attention on the part of Woodchucks, Rabbits & Skunks. Useful service performed by these animals in preventing the introduction of weeds.

(Written in February, 1909, for publication in Bird Lore)

Snow Geese in Massachusetts:- The seaboard of eastern Massachusetts was once visited regularly by considerable numbers of Snow Geese, if we may credit the testimony of certain early colonial writers. Thus Wood, referring to the region about Lynn and to a period extending from 1629 to 1633, says they came "in great flocks about Michaelmas" and, after remaining six weeks, fleet "to the Southward, returning in March and staying six weeks more" before continuing their Spring migration northward. Just when they discontinued this practice is not definitely known but it was probably abandoned long before the beginning of the nineteenth Century. During the past fifty years or more they seem to have occurred only at infrequent intervals and, as a rule, singly, although Dr. Townsend

Reports that on Lobby on November, 1903, Mr. W. H
C. W. Townsend, Birds of Essex County, Massachusetts,
Memoirs Nutt. Orn. Club. No III, 1905, p. 147
Vivian "saw a flock of about fifty white birds
resting on the beach at Ipswich" Massachusetts.
"He thought at first they were Gulls, but they
got up and flew off honking and he saw that
they were white Geese".

In view of some of the facts I first
mentioned I was not less surprised than interested
to learn that Mrs. M. Abbott Frazar had seen a
large flock of Snow Geese at Townsend, Massachusetts
on April 13, 1908. He has written me two
letters concerning them, from which, with his kind
permission, I now make the following extracts,
changing or transposing only a word or two
here and there :—

" I heard the Geese making a tremendous noise in the distance and soon caught sight of them about a mile away, coming towards me and flying in a compact bunch, not in V- shape. They were all calling and acting as if lost or badly scared. They passed directly over my head not twenty yards up. There were at least twenty-four and never before over hundred in this flock. xxx and all were in full plumage. I looked them over carefully to make sure there were no Canadas in the lot and there was not a gray bird of any kind. I could not be in doubt about this for they had not passed any thirty over four hundred yards when they swung in that the light shone on them making them look like a dark bank. in which a dark bird would show. Been conspicuous. They

approached me from the southwest, flying about north-east, and then turning around by the west finally disappearing over the forest where I first saw them, after making a circle perhaps a mile in circumference. There is a small river, hardly more than fifty yards in width at the widest, just beyond where I lost sight of them. The nearest pond I know of is three miles away."

Inasmuch as Mr. Fraser is an ornithologist and sportsman of long and varied experience we may accept, without the slightest hesitation, his confident assurance that the birds he observed, under conditions so favorable for field identification, were Snow Geese. It must remain doubtful, however, as to which form of this species they belonged, although the preponderance in decoys the smaller bird hyperborea, that being of commoner occurrence on New England than its large subspecies, nivalis

William Brewster. Cambridge, Mass.

Occurrence of the Whimbrel (Numenius phaeopus) off the coast of Nova Scotia:- In October 1907 I secured an adult female Specimen of this small European Curlew which has the following interesting history. On May 23, 1906, it came aboard the Steamship Bostonian when she was westward bound and not far to the southward of Sable Island, Nova Scotia or, to quote the manuscript record literally, in "Lat about 43° N. and Long. 60° W." "There had been a north-east gale for five days", which perhaps accounts for its occurrence so far to the westward. For two days previous to its capture it had been seen following the Steamer. When it sought refuge on her decks it was utterly exhausted and very much emaciated being, indeed, "nothing but skin and bones". "The men on board tried" to revive it "with food (probably corn beef and hard tack) xxx but it died a short time before the Steamer reached port". Her Second Officer, S. A. Cornwell

by name, took it in the flesh to D. B. Mackie of Malden, Massachusetts, by whom it was skinned, sexed and mounted and from whom I afterwards purchased it, through the kind offices of Dr. Bowdoin C. Jones, (also) of Malden. I am further indebted to the latter gentleman for the above dates which I have compiled from letters written by him to Mr. Walter Deane in 1907 and from one addressed to me personally, that has come within the past week.

It would perhaps be not wholly unreasonable to maintain that the record just given entitles the Whimbrel to a place in New England lists; for the bird to which it relates had apparently flown unaided to within six hundred miles of the sea coast of New Hampshire, in about the latitude of Portsmouth, and similar instances of "casual occurrence" have been accepted on no better

evidence than this. In any case the specimen furnishes a definite and perfectly satisfactory North American record of a European species which, if I am not mistaken in my recollection, has been found previously on this side of the Atlantic only in Greenland, where it is said to have been taken a dozen times or more. William Brewster, Cambridge, Mass.

(Original draft of note written for the Auk in February, 1909.)

(Written in February, 1909, for Publication in the Auk)

The European Wigeon in Rhode Island:- Almost any large collection of birds is likely to yield occasional surprises in the way of rarities which have been previously misidentified or overlooked. An instance of this happened only a few weeks ago when I found in my series of American Wigeon a peculiarly colored specimen labeled Anas americana, which I do not remember to have ever noticed before. My record books show that it was purchased with a number of other birds in 1896, from Mr. Edward Stuetwant of Newport, Rhode Island, and that one of my assistants catalogued and relabeled it with the others, possibly when I was absent from Cambridge. Its original label, still attached to the skin, reads as follows:- "♂ Dafila acuta, 22, Rhode Island.

Middletown 20 Sep. 1889. Taken by Edward Sturtevant. Collection of Edward Sturtevant." My assistant wrote in the catalogue, between quotation marks;- "This is the only one I ever saw in this locality (Salt marshes between 2nd and 3rd Beaches)." I am unable to trace this statement to its source but it must have originated with Mr. Sturtevant and it may have been taken from one of his letters, afterwards destroyed.

On comparing this Rhode Island bird with the beautiful plates of the European Wigeon in Millais's admirable "Natural History of the British Surface-Feeding Ducks" I find that in almost every detail of color and marking it agrees exactly with his figure (No 3, Plate XVII) of an "immature male" European Wigeon," coming out of the eclipse plumage into winter dress, age 16 months."

Males of this age in Condition somewhat resemble the females, from which they may readily be distinguished, however, by the presence of conspicuous grayish mottling on the scapulars and by a large white patch on the wing. From fully adult males in corresponding dress they differ, according to Millais, only in having the whites of the wing somewhat less pure and widespread. Judged by this test my Rhode Island specimen is evidently mature (immaculate and of nearly maximum extent for the White on its wings). In his text relating to the American Wigeon (which has been taken a few times in Great Britain) Millais says (on page 87):- "The old male in eclipse plumage more closely resembles the female of his own species than our drake Wigeon - his flanks are very grey-brown, and not that rich, red-brown colour seen in our bird".

In respect to [illegible] very obvious dotted of color and markings it agrees almost perfectly with the adult male of this species in which I have just noted above.

The female, also, is described (by him) as differing from that of the European species in (a similar way) having "not so much red-brown on the flanks or breast."

Although it is not always safe to rely largely on plates and descriptions, however accurate, when identifying obscurely characterized birds, the evidence just given is sufficient, in my opinion, to warrant a positive reference of the Wigeon taken by Mr Shurtleff at Middletown, Rhode Island, to Mareca penelope, of which, indeed, it seems to be a nearly typical representative. It is, I believe, the first European (Wigeon) known to have been obtained in New England. The second (hitherto supposed to be the first) was shot in Monponsett Pond near Halifax, Massachusetts on October 20, 1899. When I referred to the latter in the Auk as "a fine

old male in remarkably handsome plumage"[11]. I had not seen Millais's book which, indeed was not published until the following year. On reexamining this specimen now, in the light of his testimony, I find that I was not mistaken in regarding it as mature; for its wings closely resemble those of the Wigeon killed by Mr. Stuckeard although in most other respects it is a very different looking bird, owing to the fact that it is in full nuptial plumage. It came into my possession not long after it was recorded in the Auk. Soon after this I secured the remains of a third European Wigeon to which Dr. Townsend has alluded in the following words:[12] — "There is in Mr.

[11] Auk, XVIII, no 2, April 1901 p. 125

[12] C. W. Townsend, Birds of Essex County, Massachusetts, Memoirs Nutt. Orn. Club, III, 1905, p. 129

William Brewster's collection the

head and one wing of an adult male of this species shot at Marblehead on December 29th, 1900."
This statement is not quite correct for I have both wings of the Marblehead bird and they indicate plainly that it was not more than six or seven months old when killed; for they are essentially like those of a female Wigeon and wholly without the white patches which, according to Millais, are sometimes shown by the male soon after the close of his first winter and invariably assumed by him before the end of his second autumn; after this he never lacks them at any season — even when masquerading, for a brief time in late summer, in the subdued garb so generally like that of his mate and so appropriately termed his "eclipse" plumage. — William Brewster, Cambridge, Mass.

Something More About Black Ducks.

By William Brewster.

(Original draft of article written for the Auk in February, 1909)

The "Fourteenth Supplement of the American Ornithologists' Union Check List of North American Birds" published in a recent number of the Auk, Vol XXV, No 3, July 1908 pp. 343-399 contains the following announcement on p. 361:— "The name Anas obscura Gmelin, 1788, proves to be preoccupied by Anas obscura Pontoppidan, 1763, for an Old World species, and no other name being available, rubripes of Brewster is adopted as a substitute (Richmond MS.). There is some question as to the validity of the form recognized as no 133a [i.e. Anas obscura rubripes Brewster] which, by this above action, is now canceled"

I am told that the closing sentence in the passage just quoted has been very generally understood to imply that, in the opinion of the A.O.U. Committee, it is no longer desirable to recognize more than one northern form of the Black Duck.

Its wording would certainly seem to justify such an interpretation especially as "133a Anas obscura rubripes Brewster" is mentioned elsewhere in this same Supplement (on page 352) in a list of "Eliminations" with the statement that it is "equivalent to no 133" i.e. to Anas obscura of the Check-List. As a matter of fact, however, the status of rubripes has not been passed on nor even, I think, reconsidered by the Committee since the form was accepted as a valid subspecies and given a place in our Check-List. I make this statement advisedly, after confirming my personal recollection of the history of the case by questioning the Chairman of the Committee, Dr. Allen, and the Secretary, Dr. Richmond concerning it. Dr. Allen writes me (under date of December 21, 1908) that "the Committee simply took rubripes as the only available name for the Black Duck group, without ruling on the status of rubripes as a subspecies of obscura, leaving

a name for the Green-legged Black Duck to be provided for presumably by you". I have heard from Dr. Richmond, also, to the effect that no action has been taken at any recent meeting of the Committee respecting the status of the form rubripes.

It is truly deplorable that the Black Duck of our New England and Middle States, the Anas obscura of Gmelin, should have to relinquish the appropriate and familiar name which it has borne unchanged and unaccompanied by a single synonym for more than one hundred years. There is no other alternative, however, at least from the viewpoints of ornithologists who take Linnæus at 1758 instead of 1866 and who also subscribe to the maxim "once a synonym always a synonym". Since the unfortunate bird is now left without any specific scientific title I propose that it be known as tristis, partly because of its subdued coloring but also to commemorate the sad fate it has been called upon to suffer at the hands of authorities on nomenclature

If this name be not preoccupied in Anatidæ the two more northern forms of the Black Duck group will stand respectively as follows:-

Anas rubripes (Brewster), Red-legged Black Duck.

Anas rubripes tristis Brewster. Black Duck.

It must be admitted that it seems very like adding insult to injury to thus relegate to a subordinate place in the group where it has long stood as the very head, a bird which has just been robbed of an ancestral and time-honored name. Nor does the arrangement meet with the approval of all my scientific friends. Two of those whom I have consulted about it — both eminent Zoologists for whose opinion on such a matter I have the highest respect — hold that as the Anas obscura of Gmelin was, as far as we know, the first form of Black Duck to be recognized and described by ornithologists it should

continue to be regarded as the original or "parent" form and that rubripes, which has been differentiated from it only very recently, should bear the trinomial appellation and take second place. This view appeals to me strongly. Indeed it seems so logical and so obviously based on sound scientific principle that I should almost certainly have adopted and followed it but for a practical consideration which appears to be entitled to still greater weight and which Mr. Wilmer Stone has just put forcefully to me by letter in the following words:- "The whole thing comes down to a realization of the fact that we cannot represent more than one thing in our technical nomenclature and that is the earliest name for the form according to our Code. Evolution and history know to be looked after in some other way". In other words the question is not so much

one of scientific principle as of expediency and of accepted usage. It will not do for those of us who have tacitly agreed to abide by the rules laid down in our Code to disregard them when, as must occasionally happen, they run counter to our personal convictions or preferences: Canon XXIX of the Code provides that "when a species is separated into subspecies, or when previously supposed to be distinct species are found to intergrade, the earliest name applied to any form of the group shall be the specific name of the whole group". In the Black Duck group, as represented by the two more northern-ranging forms, we have two (and two) names only, to consider, rubripes 1902 and tristis 1909. As rubripes is clearly the earlier name it must become the specific name for this portion of the group. Nigra obscura we know nothing further to do since it cannot again be used

for any North American Duck in the genus Anas.

Under happier auspices I should have welcomed the chance of suggesting a name for the Black Duck. To have won the right to do so by being the first ornithologist to differentiate and describe so fine a bird would have been just cause for honest pride. But merely to ~~[illegible]~~ replace a long established name by a new and unfamiliar one is but an empty honor, in which I derive no satisfaction. Indeed I should not have cared to meddle in the matter at all had it not been for the purpose of correcting the misapprehension that has arisen respecting the present attitude of the Committee with regard to rubrics. For this form I am in a way responsible — as its original describer — and I believe too strongly that it is a good subspecies

to be willing to have it neglected or overlooked because of any confusion or misunderstanding due to the somewhat changed application of its name. That the characters which I have ascribed to it are presented ~~with reasonable uniformity~~ by great numbers of specimens and that with many of these they are so pronounced as to be easily recognized at gunshot distance in the living birds — especially when seen on wing — no one at all familiar with them seems able to deny. But there are a few ornithologists & sportsmen, I understand, who maintain or, at least suspect, that they are age or sexual characteristics, having no racial significance. Among these men, apparently, is Dr. Townsend who, in The Birds of Essex County Massachusetts [1] Memoirs Nutt. Orn. Club III, 1905, pp. 125-128 has much of interest to say about subspecies. His

testimony impresses me as being confirmatory in the main of the conclusions which I have reached regarding the status of this form although to his mind it seems to have a somewhat opposite bearing. While avoiding any definite expressions of belief he suggests "for the sake of argument, that rubripes is merely the adult male of obscura." I was inclined at first to entertain this theory but it was promptly abandoned when the opportunity (mentioned in connection with my original description of rubripes) occurred of comparing six fully mature, breeding Black Ducks (in the collection of Mr. Batchelder) from Newfoundland with four from regions bordering on Hudson's Bay. For I found that all the Newfoundland specimens were essentially typical of the form then known as obscura, although one

of them was an adult male, whereas the other four birds were equally characteristic representatives of the form that I named rubripes, although two of them were females. In view of these facts (to which Dr. Townsend does not refer) and of the entire absence of any counter evidence of a similarly definite kind, I feel justified in maintaining that at present there are no good reasons for doubting that the Large Black Duck with coral red legs, bright yellow bill and spotted throat, which I have called rubripes, is subspecifically distinct from the bird that has been known as obscura. At all events I shall continue to hold to this connection until some one has shown it to be untenable. If this is ever accomplished it will be either by observations made on birds kept in confinement from their early youth to full maturity or by

further Study and comparison of Specimens in full breeding plumage from definitely known localities. For the examination of any number of Black Ducks, of miscellaneous and uncertain ages, killed in autumn or winter in regions where they assemble and intermingle at these seasons after having migrated from unknown summer haunts, is not likely to ever prove anything conclusively beyond this fact – which I have freely admitted from the first – that rubripes and tristis intergrade. Were it not so they would be distinct Species, which I have neither asserted nor believed.

Just as eels are said to have become reconciled to being skinned alive, so most ornithologists are learning, I suspect, to regard the ever-increasing and apparently quite hopeless instability of their scientific nomenclature with resignation or indifference not commingled with disgust. Fortunately there are the English names to which one may turn with blessed sense of relief, because of their comparatively fixed and permanent character. For they have changed but little since the days of Wilson and Audubon although purists have not failed to suggest that they should be critically looked into and perhaps extensively emended. Pray heaven this may never come to pass. It would mean universal chaos in ornithological nomenclature, too dreadful to contemplate. Surely we have enough of trial and tribulation to bear with this ceaseless tinkering of the scientific names. They

stand, of course, on a different basis from the others, being regulated by a complicated system of laws and traditions to which we have so committed ourselves that we must support and enforce them unflinchingly, though the skies fall. For this state of affairs, indeed, there would seem to be no help despite the nomenclatural tragedies which continue to follow one another in dreary and endless succession. Among these there has perhaps been no recent case sadder to contemplate than that afforded by the Black Ducks. The worst of it all is that the rearrangement of names in this group which I have just proposed is by no means certain to prove lasting. It might be overthrown, for example, by the discovery that the Florida Duck or the Mottled Duck intergrades with one or the other of the [illegible] of the two more

northern forms. If this possibility should ever develop into an established fact it would become necessary to treat these birds as subspecies of the fourth, which would be Anas fulvigula since its name dates back to 1874 and hence is older than that of any of the others.

(Written for publication in the Auk in February, 1909)

Evening Grosbeaks again in Massachusetts:-

Mr. M. Abbott Frazar has kindly given me permission to report the fact that, on the morning of February 7, 1909, he met with a small flock of Evening Grosbeaks at Townsend, Massachusetts. He was returning from a walk when he started the birds from the ground where they had been feeding on the fallen fruit of a rock maple that stands within twenty feet of the front steps of his farm house. They flew across the road to a smaller maple in which they alighted and remained for several minutes, allowing him to approach them closely and to obtain a good view of them. There were about ten of them, all in the plumage of the female. Their next flight was to the top of a tall pine some two hundred yards further off. Here they stayed a somewhat shorter time before taking

wing again, to disappear in Nov for distance.

Mr. Frazar had been away from Townsend for four days just before the date above mentioned. HL (was told that) during his absence the Grosbeaks were seen repeatedly by a man who works on his place. They have not since returned to it as far as he can learn. He was constantly on the watch for them during the remainder of his stay at Townsend which terminated on the morning of February 11, when he came back to Boston.

If I remember rightly, Evening Grosbeaks are known to have occurred in eastern Massachusetts on but two occasions prior to this; in 1890, when they appeared in considerable numbers, at very many different localities, in January, February and March; and on March 23, 1904 when five were found together in Beverly and three of them were killed, by Mrs. C. E. Brown.[1]

William Brewster, Cambridge, Mass.

[1] Auk Vol XXI no 3, July 1904, p 385

the remains of disintegrated leaves, is almost always moist and frequently of the consistency of semi-liquid mud.

When I first noticed the Skunk cabbage (in midsummer, some twelve or fifteen years ago, it must have been very young for its light green leaves (then) were no larger than those of our common red clover. It has since increased in stature steadily, if somewhat slowly, until it has become a well-grown and vigorous-looking plant. As nearly as I have been able to ascertain, however, it has not bloomed as yet. Perhaps it will not live to do so for gypsy and brown tailed moths are attacking the trees that shelter it and the entire hillside is likely to be stripped of foliage in the course of the next two or three years.

Original draft of note written for "Rhodora" in February, 1909.

6

Occurrence of the Skunk Cabbage in an unusual place.

William Brewster.

The Skunk Cabbage is rarely met with, I believe, in other than low-lying and more or less swampy localities. At Concord, Massachusetts, however, there is a solitary plant of this species which has not only existed, but positively flourished, for a number of years, in a somewhat elevated and exceptionally dry situation on Ball's Hill. This long, narrow, gently curving ridge is of glacial origin and composed almost wholly of fine, yellowish sand and coarse reddish gravel. It is everywhere densely wooded chiefly with second-growth oaks intermingled with white and pitch pines. Beneath these lies the surface soil, although somewhat enriched with leaf mould, is so generally thin and sterile that it supports but little herbaceous vegetation especially on the south side of the hill which is very steep

and not perfectly screened by the trees from the scorching rays of the midsummer sun. Yet it is on this very southern slope and about midway between the base and summit of the hill (which has an elevation of some seventy feet) that the skunk cabbage grows not, however, in the ground but in a crevice at the foot of a white oak of medium size. Here it has found conditions evidently congenial and perhaps in some respects not unlike those which obtain in swamps; for the cavity is, in effect, a deep, narrow-mouthed, wooden bowl which receives and retains not only the rain water that falls directly into it but in addition very much of that which drives against the trunk of the tree and trickles downward towards its base. Owing to this abundant supply of moisture the soil which fills the bowl and which is made up partly of decayed wood and partly of

Viola Brittoniana at Concord, Massachusetts.

Some of my Botanical friends inform me that the violet with deeply-incised leaves now known as Viola Brittoniana is considered of rather sparse and local distribution in eastern Massachusetts. Mr. Walter Deane has specimens of it which he collected in 1887 on the banks of Concord River not far from the Old Manse, where he was staying at the time. I do not remember to have noticed it in that particular locality but I have found it commonly enough in a number of places two or three miles further down the river and really abundantly in a meadow at the eastern end of Ball's Hill where there must be (hundreds if not) thousands of plants for they are spread over a considerable area, growing for the most part a yard or two apart but sometimes within less than a foot of one another. Here, as elsewhere, they shun the wetter portions of the meadows and occur most plentifully along the

Slightly elevated ridges or benches of comparatively dry land bordering closely on the river. On these the grass is regularly cut in late summer or early autumn; when the violets bloom the following Spring it has not grown sufficiently to screen them wholly from one's view and for a brief season their flowers give a pleasing tinge of bluish purple to spots where they most abound.

William Brewster, Cambridge, Mass.

Written in February, 1909, for "Rhodora"

A recent instance of the Occurrence of the White Pelican (Pelecanus erythorhynchos) in Massachusetts: I have an adult male White Pelican, in full nuptial plumage with well-developed "centre-board", which Dr. Lombard C. Jones of Malden, Massachusetts was kind enough to secure for me some four years ago soon after it had been skinned and mounted by Robert Bazin, a Malden taxidermist. It was taken at Sandwich, Massachusetts, possibly on the 12th, but almost certainly on the 13th, of May, 1905, by George W. Kuntz (or Kounze) of Sandwich. He gave it to Eugene Haines (also of Sandwich and familiarly known to Dr. Jones) who sent it in the flesh to Dr. Jones by whom it was received on May 17 and immediately placed in the hands of the taxidermist already mentioned. I bought it a week or two later from Mr. Haines through Dr. Jones and it was deposited

in my collection on May 31 while the skin was still "green" and enshrouded in its winding of cotton thread. Mr. Haines reported that Mr. Kuntz (or Kounse) had found the bird lying dead among some beach grass whence he traced its large footprints backward across the beach to the waters edge where it must either have alighted or — as is perhaps more probable — landed, after swimming in through the surf, before seeking the slight shelter afforded by the grass which seems to have been its first resting place. These data are all alluded to by letters and other memoranda received by my assistant Mr. Walter D. Cowan in May and June 1905, from Dr. Jones. who appears to have had a record of his information directly from Mr. Haines. There is a newspaper clipping, however, found in one

of his letters and inclosed (evidently by Mr. Deane) "Boston Post, 1905", which reads as follows:-

"Pelican Found at Sandwich. Sandwich, May 17.—A strange sight was witnessed here on Friday, when a large pelican was found on the beach here by Mr. Kounze, who gave it to Eugene Haines. It measured 8 feet from tip to tip of its strong wings. Its bill was over 18 inches long, and the pouch underneath would hold two or three gallons. Whether it followed some school of fish from its far-away home, or whether it was blown towards these shores in a hurricane, none can tell. Mr. Haines will have it mounted and placed on exhibition"

This brief note is, as far as I have been able to learn, the only published record that has hitherto appeared of the bird to which it relates. It

will be observed that the name of the man who formed the Peleiom was here printed "Kouenze", not Kuentz, as it is written by Dr. Jones; while it is necessary to point out further that the "Friday" immediately preceding May 17, 1905 fell, according to the calendar for that year, on May 12, instead of on the 13th, which Dr. Jones regarded as the correct date: As he is careful to express doubt in one of his letters concerning the accuracy of his spelling of the name, ~~just referred to~~, that given by the Sandwich correspondent of the Post is perhaps to be preferred, but with respect to the date, Dr. Jones is, ~~without question~~, the better authority of the two. He has just (written me on February 23, 1909) "I am sure you will make no mistake in accepting as this data which I obtained at that time, time,

in accordance with the request of Mr. Deane, for I certainly fixed the date then as accurately as possible xxx and the evidence I obtained was from Mr. Haines, to whom the bird was given by the finder".

William Brewster, Cambridge, Mass.

(Original draft of article written for the Auk in February, 1909.)

Breeding of the Louisiana Water Thrush (Seiurus motacilla) in Berkshire County, Massachusetts.

On the afternoon of June 28, 1902, I was following up the course of a brook in Glendale, Berkshire County, Massachusetts, in company with my old friend and fellow-student, Daniel Chester French, when we came to a secluded, shallow pond, less than a quarter of an acre in extent, lying between two wooded ridges of moderate elevation. It was made, a number of years ago, for the purpose of obtaining ice, by a farmer living in the neighborhood who built a rude dam across the brook at a point where, after winding sluggishly through what was once a grassy meadow it races down a rather steep incline between well defined banks overgrown with mountain laurel and densely shaded by trees of various kinds.

As we approached the pond we heard a Water Thrush

chirping sharply. A moment later it appeared among some bushes with something in its bill which looked like a large grub but which did not prevent it from continuing to utter its metallic note at short, regular intervals. It was soon joined by its mate, the male, I thought. Her, also, chirped but less aggressively and frequently than the other. Both birds now approached us closely, enabling us to make sure that they were Louisiana and not Northern, Water Thrushes. They came, indeed, so very near and into such a light as favorable for distinguishing their characteristic color and markings, that we were left in no doubt whatever as to their identity.

After watching them for several minutes we advanced and almost immediately discovered their nest which was within twenty feet of where we first saw them. It contained [illegible] young, well feathered and almost large enough to fly although they all kept their eyes tight shut while one

were looking at them, perhaps in the hope that by so doing they might escape our notice. They crowded the nest to its utmost capacity and the coloring of their upper parts — a rich, deep seal brown — closely matched that of the mud-plastered leaves which formed its outer surface. It was the largest nest of a Water Thrush that I have ever examined. The crown of a man's hat would not have held half its total bulk. Its situation, also, was somewhat unusual for it was placed on the side of a shallow pit which had been dug at the base of a bank to obtain earth for the construction of the dam. The rear wall of this excavation was vertical — or even overhanging up at the top at several points but the birds had selected a place where it merely sloped steeply downward and outward and had here built their nest on a slight projection or knob some a foot above the level ground beneath and wholly

unsheltered above, either from observation or from the weather.
I did not return to the spot that summer but I have
since revisited it almost every year, & often two or three
seasons, without, however, obtaining any evidence that the
birds have again resided there or indeed any where in the immediate
neighborhood, since 1902.

Mr. Walter Faxon, to whom I mentioned the
above-described occurrence not long after it had occurred,
wrote me on October 14, 1902, as follows: — "If you
record the Southern Water Thrush's nest (as I hope you will),
you might take the occasion also to mention that
I found xxx a male [of this species] still in song
on the 8th of June, 1901, at Richmond Pond on the
line between the townships of Richmond and Pittsfield.
Doubtless this bird is distributed well over the southern
half of Berkshire County." William Brewster, Cambridge, Mass.

Written for the Auk in February, 1909

Prothonotary Warbler taken on the Coast of Maine:-

A number of bird skins collected between 186 and 187 by the late Levi L. Thaxter and his two sons have recently come into the possession of the Museum of Comparative Zoölogy. Among them is a beautiful adult male Prothonotary Warbler in fresh nuptial plumage. Like many of the others it is encircled by a broad, close-fitting paper band into which, no doubt, it was slipped when freshly skinned and put away to dry, according to a practice much in vogue a half century ago and one followed rather frequently, although not invariably, by the Thaxters. This band was made to serve in place of the usual tag or label for on it is clearly inscribed in ink, and in the handwriting of Mr. Levi L. Thaxter, the following brief record:- "Matinicus Is. Me. August, 1868"

In addition to these data there is the word "Looys", "Looy's", formerly written in pencil. This, it seems, is the possessive case of "Looy", ~~Looy's~~, a familiar nickname, applied to Dr. Roland Thaxter in his early youth and sometimes used to designate the birds which he himself had killed. Although he has no distinct recollection of the Prothonotary Warbler his brother John, whom he has just questioned on the subject, remembers it perfectly and is certain that it was shot on Matinicus Island. It is not less reassuring than satisfactory to have so positive a declaration from such a source; for when Mr. Samuel Henshaw first called my attention to the bird I could not help suspecting and, indeed, suggesting to him, that its original proper whereabouts might easily have been exchanged through accident

for that of some other skins of similar size, prepared in the same way. There is, I believe, but one record besides this of the occurrence of the Prothonotary Warbler in Maine. It relates to a specimen taken by the late Mr. Geo. A. Boardman at Calais on October 30, 1862 ↓ ↙ Verrill Proc. Bos. Soc. N. H IX, 1863, p. 234

William Brewster, Cambridge, Mass.

(Written for The Auk in March, 1909)

Resurrection of the Red-Legged Black Duck.

By William Brewster.

As Dr. Dwight saw fit to remove the foil from his rapier before attacking the Red-Legged Black Duck and me, its devoted champion, in the Auk for October, 1909, I feel free to defend both the bird and myself with a similarly naked weapon. If by so doing I am fortunate enough to prick my formidable antagonist here and there between the joints of his coat of mail he will remember that "faithful are the wounds of a friend" and perhaps will pardon them accordingly. He has indulged in not a little keen but perfectly good-natured fun and satire at my expense, and at that of some of my ornithological opinions. Hence I shall endeavor to repay him, as best I may, in his own coin, with perhaps some accrued interest added. But first I would have it distinctly understood, both by him and by everyone else, that nothing in what I am about to say is intended to express or to imply the least doubt of the

sincerity of any of his statements or the slightest disrespect for his scientific opinions.

The article just referred to is entitled "The Singular Case of the Black Duck of North America". This is dealt with by Dr. Dwight in a style so terse and a spirit so masterful as to somehow remind one of Julius Caesar's laconic but all-embracing message Veni, vidi, vici. The entire matter is finally disposed of in the following decisive and uncompromising terms.

– "The evidence shows that all young birds, both in Canada and along the Columbia Coast of the United States, have brownish legs, which brownish colour fades from the down habbits here and there. Hence the characterization of 'Red-legged Black Duck' as a subspecies does not appear to have a leg to stand on – not even a red one. xxx Now or last upon such examination of evidence the Black Duck (Anas rubripes) remains an undivided species ranging over eastern North America."

that this "dissipation of energy" ~~here mentioned~~ has been largely on my part and not at all on those of the Black Duck is indicated by a preceding sentence in which reference is made to those of my critics. Dr. Dwight advises his readers to consult them but does not himself directly discuss any of the facts and evidence they contain. Apparently he thought that this would needlessly "waste more energy"; feeling assured no doubt, that the weight of his own evidence and opinion would be considered sufficient to dispose of mine. Although betraying no uncertainty on this point he is evidently undecided as to whether I should be graciously pardoned or severely rebuked for having promulgated such a heresy. At first he inclines towards the former course, pointing out that up to the time when his own article appeared some facts had "been missing and others misinterpreted." In another connection he pays a graceful if qualified compliment to his

defeated adversary by asking "If an ornithologist of Mr. Brewster's ability can go astray in his conclusions what may not the rest of us do"? In this question he is generous enough to concede "how easy it was to take the wrong path". But in the end a stern sense of duty prevails over considerations of mercy and friendship, prompting him to say unflinchingly that "the episode should be a warning lesson for all describers to take to heart". Thus like some poor crow, shot and hung up in a cornfield to keep others of his wanton tribe from molesting the precious grain, am I singled out and conspicuously branded to serve as a terrible example to the ever-increasing horde of reckless describers. If this poor lonely somewhat head, however well-deserved, I may at least console myself by the reflection that the remainder of my life is in a way provided for and not likely to be passed wholly in vain.

But is Dr. Dwight really justified in claiming so confidently that he has proved his contention and disproved mine? Would it not have been wiser, and also more nearly in accord with accepted usage, had he contented himself with presenting his evidence and formulating his conclusions without assuming the right to decide the case irrevocably and to publicly reprimand me, however temperately and considerately, for having taken a view of it differing from his own. Statements as positive and unqualified as some that he has made should, certainly be backed by evidence sufficiently strong and convincing to amount to absolute and complete proof. Otherwise they are not conclusions but, to a greater or less degree - according to the value and definiteness of the evidence, expressions of mere personal opinion. After citing the characters which I had ascribed to the Red-Legged Black Duck - giving them, however,

in his own terms and in nearly inverted order and omitting allegations one which I had placed almost at the head of the list and to which I continue to attach much importance — he presents his own evidence with which I will now proceed to deal ~~with~~ as briefly as possible.

In the first place he says that by skinning and dissecting "fully fifty Specimens representing many localities, north and south, besides examining dozens of others that by friends or found hanging in the markets" he has satisfied himself that the differences which I have considered of subspecific significance "are exactly the ones that distinguish old birds from young whether they occur in the United States or in Canada". "A series selected from many fresh specimens sent" him "from Long Island, New York, shows that the Black Duck, like many of the other ducks, slowly passes from the juvenal into the first winter plumage, a

change in the color of the feet and bill taking place at the same time. The feet of grown young birds, at first an olive brown, become gradually reddened, and finally in the spring they are of nearly as bright a red as those of the adults, while the dusky bill brightens to greenish and then to yellow-green or yellow. xxx Once the adult colors of the soft parts are attained they are never lost." "The bill of the adult being" at all seasons of the year a bright greenish yellow and the feet a coral red, these colors dulling only a little after the breeding season" While some of the young resemble adults, in respect to the color of the feet and bill, "as early as January" others are
others "are still dull in April" and "a very few eggbirds in Kentucky seem to remain unmoulted during their first year."

4 Immediately following the positive statements just quoted and intended, apparently, to show on precisely what grounds they were based – since no other evidence is mentioned – is the assertion that "The bones, the trachea and larynx and the sexual organs proclaim approximately the age of specimens carefully examined". This is quite true of course in regard to young birds not more than five or six months from the nest but that it is equally true with respect to those which have nearly or quite completed the first year of their existence I am not at present prepared to believe although my personal experience in examining and comparing the bones, sexual organs and other internal parts of birds of many different kinds has perhaps been quite as extensive as that of Dr. Dwight. The matter has always interested me and during the thirty or more years when I was actively

engaged in collecting birds I lost no opportunity of ascertaining by dissection, whenever possible, the approximate ages of my specimens. With those taken in summer and autumn there was seldom any trouble but by mid-winter I found it difficult, and by early spring practically impossible, to decide with certainty as to whether a bird was over or less than one year old. Yet I was accustomed to use a strong lens (but never, I will confess, a microscope) and to give close attention to every detail of structure which I found available as a test. Hence my skepticism with regard to Dr. Dwight's confident claims. Nor has it, moreover, received the positive endorsement of any one whom I have consulted about it: Mrs. H. W. Henshaw has assured me that his experience in determining the ages of birds by dissection has been closely similar to my own. Dr. C. Hart Merriam writes me that he does

"not known any way by which the age of a duck killed in winter may be positively determined"; Dr. Beauchamp Shepherd that he is "not in a position to either deny or affirm Dr. Knight's assertion"; Mr. Edw. Lucas that he is "unable to say whether or not it would be possible to speak positively as to" the ages of ducks taken in winter "after an examination of the bones". although he has found that "in many of our small Birds the bone of the skull does not ossify so rapidly as the rest of it and in most cases one can usually tell whether a bird is a year old or more." Some of these statements are accompanied by others, equally qualified or non committals, to the effect that thorough cleaning of an entire skeleton, a microscopic examination of some of the parts of the bony skeleton or minute examination of the generation organs and their tissues might reveal characters by which a bird can be known

a year old could be identified as such. Although chiefly negative in character this testimony establishes one interesting and rather significant fact viz. that some of the most eminent and experienced ornithologists in this country are still in ignorance or doubt about a matter to which they must have given more or less attention and concerning which Dr. Dwight says claims to definite and exact knowledge which has obviously escaped their ken. If his age tests be really trustworthy he has to be credited with exceptional acumen for discovering them but if, on the other hand, they should prove to be unreliable he will have shown himself oblivious to elements of uncertainty which should not have been overlooked or ignored. Thus he would seem to have placed himself in a position which makes it desirable if not imperative for him to describe fully and clearly

the precise methods of dissection which he is accustomed to follow and the resulting proofs of age and immaturity on which he so implicitly relies. When he has done this it will be easier to judge whether his interpretation of the color variation in Black Ducks is or is not literally correct.

It is considered legitimate, I believe, to turn the guns of an opponent against his own fortifications provided one can make such use of them. If, then, I may be permitted to restrict Dr. Dwight's account of the progressive color changes in the bill, legs and feet of Black Ducks to the form rubripes it will be of some service to me. For if, as I am quite ready to believe - having no grounds for maintaining the contrary, the legs and feet of young rubripes are not much more strongly reddish in autumn and early winter than are those of young tristis and if the former bird does not acquire the full coloring of those parts until he is nearly or quite one year old it is easy to account for the undeniably large percentage of autumnal and winter specimens which seem to be intergrades between those races by assuming that very many of them are immature representatives of rubripes. This, of course, is

in the nature of a tentative and possibly untenable proposition. Not so, however, with the moral which I propose to draw from another of Dr. Dwight's Sabbath-day sermons, expressed in the following words:- "Once the adult colors of the soft parts are attained they are never lost." This assurance, coming from one who speaks with such confidence and authority, is peculiarly welcome. For it encourages me to believe that a doubt which I have hitherto entertained may be unfounded and a claim, on which I have hesitated to insist, fully justified. The doubt has been as to whether fully mature Black Ducks, showing bright coral red legs and feet in late autumn, winter and early Spring, may not afterwards have those parts dull colored in late summer and early autumn - the seasons of "eclipse" plumage. The claim directly affected, it will be perceived, by the doubt - is that of

No such retrogressive change ever takes place the apparently undisputed fact that Black Ducks with conspicuously red legs are totally absent from New England during the earlier part of the shooting season in autumn and not found in any numbers much before the middle of October affords the strongest kind of presumptive evidence that ~~subspecies~~ is a good subspecies. The very earliest date given by Dr. Townsend for its autumnal appearance in Essex County, Massachusetts, is September 21. It was represented by only seven specimens among the two hundred and sixty birds sent to Faneuil Hall Market in Boston from this region between September 21 and October 3, 1904, and examined for Dr. Townsend by that excellent authority on such matters, Mrs. John H. Hardy Jr. Of the unstated but presumably considerable number of specimens received between September 1st and 20th of that year Mrs. Hardy referred all to

"the smaller form" (ie tristis). Equally significant and convincing is the testimony relating to this point furnished by the following extract from a letter written me under date of 1910 by Dr. Phillips

At Lake Umbogog I have never met with rubripes at any date earlier than September 27 (1889) although during the twenty or more years when I was

accustomed to spend the greater part of every autumn there I must have examined fully two hundred freshly killed Black Ducks that in September to say nothing of the thousands of living birds seen at close range under conditions which enabled me to master them of the coloring of the bill, legs and feet. Of the specimens actually taken very many were shown by dissection to be certainly more than one year old. That no one of them had passed the maximum age when, according to Dr. Dwight, all Black Ducks assume the bright red coloring of the legs and feet, never afterwards to part with it, is obviously most improbable if not, as I believe, simply inconceivable.

Another fact of some apparent significance is the tendency shown by Black Ducks having red legs to keep together; either actually by themselves, in small flocks, as I have repeatedly known to happen in late autumn at Dog's Umbagog, or ~~in pairs or in clusters~~ in groups, when mingling with brown-legged birds, ~~in pairs or clusters~~ as I have witnessed in early Spring on Massachusetts. An interesting instance of this color trait came under my notice in March, 1909. On the 16th of the month Mr. Purdie and I found eighty-four Black Ducks assembled on Fresh Pond when all but a few, swimming in open water, were standing on a great raft of floating ice, basking in the morning sun. With the help of its clear rays and of a strong glass I was able to ~~fully~~ satisfy myself that there were only fifteen representatives

of rubripes among the total numbers on the ice
– a surprisingly small proportion of "adverti" to "communis"
birds if Dr. Dwight's opinions are correct. All the
birds satisfactorily seen had legs either
bright red – ~~almost~~ and deep and pure as that of
red sealing wax – or dull brownish, there being no
indication of [illegible] intergradation in
this respect. Four red-legged birds stood together in
one floe; in another there were five with a single
brown legged bird; in still another four, represented by two
mated pairs separated by a floe of only a few yards.
The remaining two were far removed from the others and
among brown-legged birds. Although most of the
ducks seen on this occasion were unquestionably wild
ones, about to migrate to breeding grounds lying further
north, a few may have strayed from some of the

park ponds in Boston or Brooklyn where miscellaneous collections of semi-domesticated water-fowl are kept. I mention this slight uncertainty partly to guard myself against the possible accusation of inconsistency (which might be suggested by a criticism that I propose to make later on of certain observations of Jacob Wahn-fowl by Dr. Dwight.) It can scarcely fail to be recognized, however, that the two cases are not parallel or to be admitted that even if a few of the birds seen at Fresh Pond were not really wild the fact has little or no obvious bearing on the use I have made of the evidence thus furnished.

Where I refer to "pairs" I mean that each of these consisted of a male and female bird, not two birds of unknown sex. It is perfectly easy ~~to at least in Spring~~ to distinguish male from female Black Ducks when mated birds are standing together on ice or land and not too far off for the males are decidedly larger than the females and also appreciably different in form and carriage.

¶ Although Dr. Dwight is given to insisting that no one unprovided with full series of birds taken during the breeding season, in their summer haunts, should presume to pass upon any question in which the value or significance of differences of color or markings is involved his hope on Black Ducks lacks satisfactory assurance that, with the exception of a single specimen, any of the birds he mentions were obtained in localities where they had certainly settled to breed. He apparently admits and at the same time defends this violation of his favorite rule by pointing out that "There are many difficulties to be overcome in obtaining breeding specimens which of course would settle the question at once. The males become so exceedingly shy and difficult to find in the breeding season and nobody wants to slaughter breeding females even if more be found".

He goes on to say, however, that "before Spring Shooting was abolished some years ago on Long Island, New York, a number of freshly killed birds were sent me that scarcely needed dissection to prove them breeding birds. They were shot at various dates in April and all had red legs." To those unfamiliar with certain known facts of migration the evidence furnished by the two Sanderlings last quoted may seem important but that an ornithologist of Dr. Dwight's knowledge and experience can attach any especial value or significance to it is indeed surprising. He must know, of course, that in April — or May, for that matter — thousands of birds whose individual summer homes lie far to the northward of the New England and Middle States may be found lingering there at dates when others of their same or of closely allied species are settling on

eggs or even caring for newly hatched young, in the immediate neighborhood. Indeed it is unsafe to assume that the mere presence of migratory birds of any kind, at localities not near the extreme northern limits of their summer habitats, affords any proof that they are breeding in such localities unless they occur there within the limited period in early summer when the waves of migration are wholly or very. In the case of ducks, moreover, physical evidences of "breeding condition", such as Dr. Dwight may be assumed to refer to, in what he says of his Long Island observations, have apparently little or no real significance of the kind he gives us to understand. For although Golden-eyes and Goosanders do not lay their eggs in northern New England before late April or early May and are not known or suspected to to ever breed anywhere in Massachusetts, they have been seen copulating in March near Boston or in the waters about Cape Cod.

4 Perhaps, after all, Dr. Dwight is better informed about some of these matters than the passages just quoted ~~from his article~~ would seem to imply for he follows them by the admission that "it was not until the present year that I learned the Coast link required in my chain of evidence". This, it appears, was furnished by a freshly killed bird shot "on Long Island, June 11, 1909." It had "the red legs and other characters supposed to belong to the northern 'form' alone" and "evidently was recently moulted." Hence Dr. Dwight insists that "it should set at rest any lurking belief in the subspecific distinctness of subspecies". He calls attention to the fallibility of trained gunners when a question of scientific importance is at stake" adding "The very man who shot my June bird had previously observed me that the Summer birds of Long Island did

not have red legs". Dr. Dwight then goes on to say that he has "noticed, without a glass, that the wild birds breeding about the Central Park lakes in New York City have red legs, but such evidence, derived from semi-domesticated water-fowl, is not convincing in itself alone". Considered in the close connection with which it occurs to the disparagement of the opinions and methods of observation of "trained gunners", this last statement is rather amusing. That a trained ornithologist, dealing with a question of scientific importance, should have made it without perceiving that it not only failed to strengthen but even discredited, some of his other evidence and conclusions, is really surprising. For as almost everyone knows the water fowl now kept in such numbers and variety in or near New York, Boston and various other large cities are, for the most part, of obscure if not

unknown origin. Purchased from Sportsmen's Shows or from dealers in remote parts of North America and the Old World they intermingle and interbreed producing offspring of even more uncertain antecedents than their own. Some of them are pinioned but many not thus handicapped, having free use of their wings and unrestrained liberty, roam far more or less widely, returning to the park ponds every now and then or deserting them altogether, as circumstances or inclination dictate. They often join or are joined by, wild migrants of the same or allied species and even occasionally mate with them it is thought — although not as yet definitely ascertained. In such collections of living water-fowl the Red-Legged Black Ducks are often rather numerously represented. Their presence in them has, of course, no more significance than has that of the Wood Ducks kept in such profusion in

ornamental ponds in various cities in Europe. In view of all these facts why is it not possible — or rather probable — that the "June bird" that on Long Island comes originally from some of the lakes in Central Park or the Bronx? It may even have been one of the very ducks — "wild" or "semi-domesticated", which are now to be seen there — which Dr. Dwight viewed with such satisfaction there when the momentous question as whether Eurypyga has or has not a leg left to stand on was perhaps still agitating his mind: Should these suggestions of mine ever be brought to the attention of the keeper of the "June birds" they are likely I fear to strengthen his original belief that the wild Black Ducks which occur on Long Island in summer do not have red legs. For men of his class are apt to be stubborn in maintaining opinions based on life-long experience, thereby differing from trained ornithologists.

Nothing that I have said in the course of the present article or in any previous connection should be taken to imply that I am or ever have been fully assured that the Red-Legged Black Duck is a good subspecies. All I claim is that the bulk of the evidence seems to point that way and more decidedly now than it did before Dr. Dwight's article was written. As I have already explained, some of his most confidential statements have given me unexpected comfort and support although intended by him to serve a directly opposite purpose. It may be, of course, that I have made incorrect use of them and also, as he thinks, of the results of my own study and observation. But that remains to be shown for there is obvious need of additional evidence more definite and convincing than any thus

for produced before the question can be finally settled. If, as may possibly happen, it be decided against Dr. Dwight I promise not to insist on his serving as a "warning" to any one. Should the Spirit of charity and forgiveness, which all good Christians are supposed to cultivate and to act upon at every fitting opportunity, be expected to go further than this?